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July 29-Aug. 7	National Legal Aid and Defender Association, Sir Francis Drake
July 30-Aug. 4	National Conference of Commissioners on Uniform State Laws, Mark Thomas Inn, Monterey
Aug. 1-11	American Law Student Association Whitcomb Motor Hotel
Aug. 2-4	Conference of Chief Justices Mark Hopkins Hotel
Aug. 2-5	National Association of Women Lawyers, Del Webb's Towne House
Aug. 3-5	National Conference of Bar Presidents, and National Conference of Bar Secretaries, Del Webb's Towne House

85th Annual Meeting

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Address of Allen W. Dulles, lawyer, former Director of C. I. A., Washington, D. C.

Before the Third Session of the Assembly, American Bar Association, California Masonic Memorial Temple, San Francisco

"An Analysis of Communist Techniques for Conquest"

The honor of addressing the American Bar Association today carries with it for me a special personal satisfaction. The law was my chosen profession, and I find it good to be here with you and back at the law again after another long stint of Government service.

I speak now as a private citizen. I have been away from my official duties sufficiently long to have no claim to any current inside information. In any event, nothing ages more quickly than a secret in the fast moving world of today.

Intelligence work seems to exercise a strong attraction for lawyers. It was an eminent member of the Bar and of this Association, the late William J. Donovan, who drew me into the field early in the Second World War. "Wild Bill" Donovan was quite a man. As a citizen soldier, he won the Medal of Honor for his gallantry in the trench warfare of the First World War; in the Second, with the rank of Major General, he organized and led the Office of Strategic Services.

From this organization there rapidly emerged, in the midst of war, the first American machinery for the collection and analysis of political and military intelligence on a world-wide scale. It was my good fortune to be included by General Donovan in the large group of lawyers, educators and technicians whom he enlisted as specialists in intelligence directly after Pearl Harbor.

It was also General Donovan who drew up the first plans and who furnished much of the initiative that led to the establishment of the Central Intelligence Agency under the National Security Act of 1947. Thus, early in the Cold War we recognized the need for the coordination of our intelligence product and operations as a part of our national defensive shield.

By reason of the technological revolution in weaponry, particularly the marriage of the intercontinental missile to the nuclear warhead, the ocean spaces which had given protection to the Republic in the past have ceased to be a barrier to aggression. In addition, an Iron Curtain has gone up around the Communist society.

Hence, the shrinking of space which previously allowed time for defensive actions, together with the secretiveness of our adversaries, now put a dual burden upon intelligence in meeting its duty to supply the timely judgments of their policies and actions that could affect our security.

The intelligence estimates which now go to our top policy-making officials have something in common with a legal brief. They take a mosaic of known facts, and intelligence items, and draw conclusions. Unlike the law, however, an estimate has no running writ or precedent against which its conclusions can be tested. Also it must often take

into account the psychology of leaders, who are not responsive to ordinary constraints and who may therefore act in ways which are irrational, or reckless, or simply evil, by our standards.

That is why intelligence estimating remains something of an art rather than an exact science, even though the intelligence apparatus itself draws ever more heavily on new scientific collection techniques. We have, for example, a pretty good idea of Soviet and Red Chinese military capabilities. We know, too, what the Communist leaders mean to do to us, if they can. They mean to destroy us sooner or later. But, these leaders have good reason to know that the superior power still rests with us.

Communism therefore is now maneuvering for limited goals, as at Berlin and in Laos. Hence, the fundamental problem for American intelligence at this stage of the world contest is to determine how much risk the Communist leaders may be prepared to run in seeking to exploit any given situation. And such a judgment, obviously, is an extremely difficult one, especially in the absence of the ordinary indicators - parliamentary debate, press discussion, public controversy - which in the open societies often signal the line of policy. And the Soviet leaders themselves, like the rest of us, may not always have determined beforehand in any detail their course of action.

The computer has not yet been invented that could scan and resolve these unknowns. Nor is pure intellectual judgment enough. As in the 1948 decision to break the Soviet-imposed Berlin blockade, the 1950 decision to fight in Korea, and our 1958 decisions to put troops into Lebanon and to support the defense of Quemoy and Matsu, we shall no doubt continue to be confronted with situations in which the intelligence

estimate, which cannot be precise as to the venturesomeness of our major adversaires, must be buttressed by a show of cold nerve on our part, in defense of vital interests.

History is rich with examples of the failure of men in high position to make proper use of intelligence, or amid the plethora of material facts, to guage properly the responses of other men.

As we well know, the German Kaiser and his political advisors in 1914 wrongly appraised the reaction of Great Britain to the violation of Belgian neutrality, and a war that might have been won was lost.

Hitler, fortunately for all of us, had a disdain for intelligence, except for that supplied by his own intuition.

At the time of Pearl Harbor, there was a failure in our own national councils to make effective use of intelligence which should have alerted us.

The lessons of Pearl Harbor, plus the rising menace of communism, were the major factors that influenced our Government in 1947 to establish a world-wide intelligence service. In so doing, it fixed responsibility - first, for the prompt and coordinated analysis of vital information affecting our national security, and second, for getting that analysis promptly to the chief policy and defense officers of Government.

This action machinery, both human and mechanical, is now in place. In my opinion, it has been functioning well. I am sure that my able successor from this State of California, Mr. John A. McCone, who has previously served the Government with high distinction, in positions of great responsibility, will see to it that this protective shield is further strengthened.

By reason of such wise precautions, a failure of the kind which occurred at Pearl Harbor, namely to give proper attention to intelligence is unlikely to be repeated.

That is not to say, however, that we are free of a high degree of risk. Confronted as we are by conspiratorial societies, well drilled in the techniques of concealment, we have no alternative but to reckon on the possibility of surprise.

A case in point was the Red Chinese intervention in the Korean War, in the autumn of 1950, after General MacArthur's forces advanced to the Yalu. Even today there is a debate whether the available intelligence should have enabled us to forecast this Chinese attack.

Here was one of the classic situations which the intelligence officer faces so often. There was good intelligence as to the location and the strength of the hostile Communist forces to the north of the Yalu. What one did not know was the political decision being made in Peiping and Moscow. How would they react to having American troops on the Yalu? We well knew the enemy's capabilities; we were uncertain as to his intentions. He chose to act, and we were taken by surprise.

During the ten years I was associated with the C. I. A., from 1951 until last November, I witnessed great change in intelligence techniques. The classical methods, to be sure, are still essential.. But, science and technology are now providing us with increasingly useful tools for the collection process, and the very scientific development which have made us more vulnerable have, in turn, helped to provide the means for reducing the risk of surprise.

An open society, such as our own, would be in a bad way without these new collection techniques. Certainly nothing is more unsettling

in the world situation today than that one great power, claiming to be peace-loving, should assert the right to arm in secret so as to be able to attack in secret.

Our own weapon tests, indeed almost our entire defense preparations, go forward in the full glare of publicity. By contrast the Soviet and the Red Chinese in their closed worlds prepare and test in secret. But the walls and the curtains which they have drawn about their systems, in the hope of deceiving us, are by no means impenetrable. This is why they cannot count on bluffing us. We know more than they would wish.

So we of the West are not without the equivalent of eyes and ears; and nowadays as we watch and ponder, we would be well advised to remember that our adversaries from Lenin, through Stalin to Khrushchev and Mao have not escaped stress and strain.

It was originally the belief of Lenin that the Bolshevik revolution which he led in 1917 would sweep Europe. He took up the battle cry in the Marxist Communist Manifesto that the workers of the world should unite, with a world to win and only their chains to lose. He did what he could, with his limited resources, to export communism and revolution.

Lenin, as we see now, was over-optimistic. In the aftermath of the First World War, Europe rejected communism. For two decades, Bolshevism brooded more or less in isolation within the vast Soviet heartland, then another fratracidal struggle, World War II, which again shook many great and ancient nations to their foundations, presented Lenin's successor, Stalin, with yet a second opportunity to undermine a gravely wounded Western Europe.

Grasping for the prize which had eluded Lenin, Stalin after World War II launched upon a series of provocative actions. He fomented

revolutions in Europe and Asia. He threatened Iran, Greece and Turkey. He brought on the Berlin blockade. He supported the Communist attacks upon South Korea.

There were dividends for Stalin from these adventures. He consolidated Communist control of the satellites in Eastern Europe through the take-over of Czechoslovakia. There were unexpectedly large dividends in China.

But Stalin overplayed his hand and so there were debts too. The West and Japan rallied, the Marshall Plan and NATO each played a creative part; the Japanese treaty was concluded and the outward thrust of communism began to be contained.

In the meantime, within the Soviet Union itself, the ferocity of Stalin's dictatorship was giving the lie to all that communism was claiming for itself at home and abroad. The magnitude of Stalin's Terror did not come out into the open until years after his death in 1953. In fact, even today we do not know all; but, we do know that it was threatening the power of the regime itself and even Stalin's own lieutenants were becoming alarmed.

We would do well to reflect on the character and the methods of Stalin. Not until we understand this man who ruled Russia for nearly thirty years can we begin to understand how power is come by and how it is exercised in the Soviet Union.

The Party, of course, was, has been and remains the source of power - and the Party has its hierarchy. In theory, power stems from the nearly ten million members of the Party, and again in theory, power is exercised through the Party Congress, now made up of some 4,000 voting members who delegate the power to the Central Committee of the

Party, now over three hundred strong, who in turn delegate it to their Presidium, which today has twelve full and five candidate members.

In practice, however, the pyramid of power is completely inverted. The power does not flow upward from the people. Instead it flows from the top down.

The dictator, as he climbs to the summit, takes over control of the Party and so adjusts the membership of its various organs, beginning with the Presidium at the top, through the Central Committee to the Party Congress, that they, one and all, do his bidding. It is as head of the Party and not as head of the Government, that he rules the Soviet Union and its satellites.

One other vital element of power in the Soviet Union should be mentioned because the dictator must bring this also under his exclusive control. I refer to the State Security Service. This Service operates both domestically and internationally. At home, it is charged with putting down all opposition to the Dictator. Abroad, it carries out such acts of violence and of espionage as the Dictator may prescribe.

In Lenin's time, this mixed security and espionage system was known as the CHEKA. Over the years, it has gone through many transformations, taken on different names, and had many chiefs, the majority of whom were each in his turn liquidated, in part no doubt to help bury the record of their actions. Nowadays, the apparatus, presently reorganized and with its terroristic role somewhat de-emphasized, is known as the KGB.

One may well ask how it happened that in the supposedly enlightened 20th Century, Stalin could have decimated the organs of his own Party and forcibly removed all his rivals and liquidated so many of his own people - all this with no more than a muffled sound of anguish reaching the outer

world. Winston Churchill has written that in 1942 Stalin told him, as they were discussing farm collectivization in Russia, that ten million peasants were involved in the liquidation of the Kulaks alone "It was fearful. Four years it lasted."

Many years later, in his secret speech in 1956, Khrushchev exposed to the world a little more of the horror of Stalin's Terror. He revealed that as late as 1937 more than two-thirds of the Central Committee were arrested and shot at Stalin's orders, and that about one-half of the members of one Party Congress, or more than a thousand persons, were arrested on charges of alleged anti-revoluntionary crimes. Stalin was able to do all this because he controlled the State Security Service which carried out the orders and because a supine Party apparatus acquiesced in that control.

No doubt Khrushchev stopped short of a full revelation of Stalin's use of the security forces for two reasons: because he was a member of the regime when it all happened and because he needed to use the Security Service himself in somewhat different ways. He did not want to discredit it completely.

On the record, it is clear then that the Security Service - the secret police, if you will, was and remains a major instrumentality of power and political action within the Soviet dictatorship. Lenin grasped it, then Stalin, and now Khrushchev. And none of these three was sure of his life, let alone his authority as Party leader, until the apparatus had come completely under his control.

For most of us, particularly lawyers, such power is incomprehensible for this is a power that knows no law. Let us reflect a moment on the dangers which it posed for us in Stalin's latter days. Stalin was a

singular figure in the gallery of dictators - nine/tenths Mr. Hyde, one/tenth Dr. Jekyll. Brutal and ruthless as he was in bringing all Russia within his iron grip, in his international operations he then could at once be bold and yet be cautious, bland and cunning, astute and yet irrational.

A strange pall settled over his later years - starting about the middle of 1946. He became a hermit holed up either in the Kremlin or in his hideout in the Crimea. What had happened to him? For one thing, we have Khrushchev's own testimony, given in the secret speech, that Stalin "had completely lost consciousness of reality." Certain of Stalin's actions bear out this judgment. There was, to cite one example, his extraordinary break with Yugoslavia in 1948.

The former Yugoslav leader, Milovan Djilas, whose recently-published book tells of his "Conversations with Stalin", gives further interesting evidence. There Djilas tells us:

> "Every crime was possible to Stalin, for there was not one he had not committed. Whatever standards we use to take his measure, in any event - let us hope for all time to come - to him will fall the glory of being the greatest criminal in history. For in him was joined the criminal senselessness of a Caligula with the refinement of a Borgia and the brutality of a Tsar Ivan the Terrible.
>
> "I was more interested, and am more interested, in how such a dark, cunning and cruel individual could ever had led one of the greatest and most powerful states, not just for a day or a year, but for thirty years! Until precisely this is explained by Stalin's present critics - I mean his successors - they will only confirm that in good part they are only continuing his work and that they contain in their own make-up those same elements - the same ideas, patterns and methods that propelled him."

It was fortunate for the world that Stalin in the dark closing years of his life had not yet come into possession of any considerable nuclear stockpile. For we now see, from the admission of Communists

who worked with him, how close was the risk we ran, when the decisions for peace or war again and again lay with a man who was offten irrational, who was uncontrolled and uncontrollable - a man who was the product of the system which rules the Soviet Union today, a system which is scarcely the less dangerous because his excesses have compelled a moderation of the practices, if not of the spirit, of the dictatorship.

Too often we have rather casually accepted the somewhat legalistic conclusion that the form of government which another state may choose to adopt or to tolerate is not properly a matter of international concern, so long as the acts of that state do not directly impinge upon the rights and interests of other states. But such a philosophy, I submit, contains in itself an inherent contradiction. Whenever an uncontrollable tyrant wields the power in a mighty state, as Stalin did in Russia, the risk is great that the same situation will repeat itself to threaten the peace of the world, the security of all other states and the rights and interests of free peoples everywhere.

As to the present state of affairs inside Russia, let us note two facts. The dictatorship remains and Khrushchev is the dictator. It took him four years, between 1953 and 1957, finally to consolidate his power, and to map new tactics for achieving communism's goals. The means he used were softer than Stalin's; banishment into innocuous jobs sufficed for Molotov, Malenkov, Kaganovich and other once powerful leaders, now stigmatized as anti-Party people. The effect, in any case, was to eliminate all serious contenders for the job of dictator; and when in 1957 Khrushchev called upon the Central Committee of the Party

to ratify his shattering of all opposition, that Committee did his bidding. Molotov alone had the courage to abstain on the vote of the Central Committee dismissing him.

Khrushchev's adversaries realized that if the police power passed into his unopposed hands, their days of influence, perhaps even their lives, were numbered. As a group, they had already fought that battle once before. Directly after Stalin's death, one from their own ranks, Beria, had succeeded to the control of the security service; and out of a common fear of him, they had made common cause with Khrushchev for Beria's liquidation. There was no quarrel between Khrushchev and the others over the desirability of such an apparatus - it had supplied the undergirding of the dictatorship since Lenin's day. All that the others wanted was a voice in its control to make sure that it would not be used to crush them. They lost out.

What can we expect of Nikita Khrushchev? Certainly Khrushchev has the feel for power - he was unerring in grasping the main levers that support him in a dictatorship.

Khrushchev also has an acute sense of what is opportune. He appears to have appreciated, even as he maneuvered for a dictator's authority, the urgent need of glossing over the more dreary aspects of the continuing, Communist dictatorship. In any event, even before dismissing Molotov, Malrnkov and the rest, Khrushchev did, in 1956, repudiate Stalin and Stalinism - but not, I emphasize, the ends that Stalin pursued with Khrushchev as a lieutenant, and that now Khrushchev pursues with his lieutenants.

In this complex situation, our problem is to learn how to keep track of what contributes to the basic continuing factors in the

changing character of the Soviet dictatorship. Are we, for example, to doubt Khrushchev's candor when, in the course of denigrating Stalin in his famous speech of 1956, he professed to be aghast at what Stalin did?

While Khrushchev was part of the evil, it is only reasonable to credit him with having the good sense to realize, as the successor to Stalin, that there had to be some let-up in the oppression of an over-strained and greviously afflicted people.

Nor should we brush aside as merely double talk Khrushchev's own arguments that wars of liberation should go under the name of peaceful coexistence; or his exultant cry that now is a splendid time for communism while, in the same breath, he was warning the Soviet people that the achievement of communism is going to take longer than they had previously been led to believe; and he was, in fact, raising the price of meat and butter.

In all probability, Mr. Khrushchev is being candid - after the Communist fashion and as they use their terms. In practicing more moderation at home, but without relinquishing the dictatorship, in preaching co-existence abroad but without lowering the pressure on the West, in saying that everything is rosy but that the dawn is far away, he is simply ringing in the expedient changes in Communist tactics.

The facts of power, the American power, the rising power of the whole West, have registered upon him. He has made it abundantly clear, over and over again, that the Communist expectations of world triumph must be suspended until the Soviet economy overtakes the American in the absolutes of industrial power and agricultural abundance.

In the meantime, hower, with Khrushchev as with Stalin, the more things seem to change, as the famous saying goes, the more certain fundamentals remain. There has been, under the new dispensation, no withdrawal from communism's strategic aims. While Khrushchev now disavows any intention to extend communism by direct injection of Soviet armed force, he nevertheless forthrightly advocates the support of "wars of liberation" so as to extend the Communist forms of government into as yet unbreached parts of the world. He preaches that just as capitalism superseded the feudalism of old, so communism will now in all good time overtake and eliminate capitalism.

How does Khrushchev expect to do all this? Another Communist, Rakosi, the former overlord of Hungary, outlined the basic tactics. Some years ago, in describing how communism conquered that once charming and inherently anti-Communist society, he said it was a matter of applying "salami tactics" - that is, of slicing the political sausage piece by piece until the whole was lost before the progressive loss of the separate parts had been noticed.

Khrushchev's program, though less spectacular than Stalin's, seeks the same end as Stalin's, but now through the application of Rakosi's salami tactics on a world scale. The pressure upon the West is not to be so dramatic at any given moment as to invite countermeasures; rather, it is to be constant and tireless and it is to focus on targets of opportunity, as in Cuba, in selected areas of Africa and in Laos.

Khrushchev insists that all this is to be done quite peacefully. There is no question of his burying us - that boast, he has since explained, did not mean that he was digging our grave in order to push

us into it. He now says that what he meant was that capitalism would dig its own grave, and this was more to his pleasure.

The actual fact is that Khrushchev has some burying to do on his own account.

He must not only bury the memory of Stalinism, but also the record of his own association with the Stalinist Terror.

It was not enough for him merely to move Stalin's embalmed corpse from its place alongside Lenin's and rebury it in the Kremlin among the minor heroes. Nor can he be sure that his regiments of hacks, who are continuously at work rewriting history, will ever manage to expunge the claims to greatness which Stalin caused to be inscribed in the millions of histories and encyclopedias still on library shelves. For Khrushchev to do a really effective job in burying Stalinism would also entail the clandestine internment of some of his own past.

He must try to bury the world's deepening realization that conditions of life in the Soviet world are below those prevailing generally in the industrialized countries of the West.

He must try to bury the implications of the massive flight from communism which despite walls and barriers has been taking place over the years from Eastern Europe, Communist China and even from Cuba.

He must try to bury or at least hold down the expectations of the rising Russian generation, particularly among the students, the intellectual and managerial classes. They expect more freedom. And they expect more truth from the regime. They have not missed the irony in the circumstances which compelled Khrushchev's embarrassed historians to rush forward with a turgid monograph on the Bering Straits to fill the gap left in the state encyclopedia caused by the removal of the fulsome

biography of Beria.

Khrushchev must try to bury the fact that the Marxist-Leninist call to the workers of the world to shake off their "chains" has been answered by free trade unions in Europe, here, and throughout most of the free world with a cry repudiating communism and a demand for the end of forced labor in the Communist system.

He must try to bury the fact that the Marxist theory of the inevitable and self-generated collapse of capitalism has been proved false; that the free society is everywhere exhibiting superior powers of self-regeneration, and that the drabness of the Communist world is made more evident each passing day by contrast with the rising social, cultural and spiritual opportunities of our free society.

He must try to bury the fact that communism is running out of credible political issues; and that today the only expanding imperialism, the only still aggressive colonialism, are those deployed under the Red flag.

Khrushchev must also try to bury the fact that communism is still trying to wall off its subject populations at a point in time when everywhere the human instinct, the logic of existence in the mid-Twentieth Century, call for a coming together of mankind in the sharing of ideas, of resources, of culture and experience. But Telstar--that new bright glimmer in the firmament - can Khrushchev bury that? Will his Iron Curtain keep out its message?

And, finally, Khrushchev must try to bury the fact that his boast of the inherent unity and solidarity of the Communist system has been shattered by the Sino-Soviet breach, by Albania's break-out from Moscow and by Yugoslavia's continued independence.

So it is plain that Khrushchev has a lot of digging to do in the cemeteries where communism tries to bury its fallacies and its victims.

In the meantime, he and his economic planners must elsewhere come to grips with a truly massive problem: the agricultural failures in the Communist world. Practically everywhere, from the Elbe to the Yellow River, the system of collective and state farms is a failure. In Communist China it is a near disaster. Only in one respect can that system be said to have succeeded. It is still communism's best device for keeping its political control clamped down on the rural populations.

I do not wish to leave with you the impression that because communism is having its troubles, we on our side can begin to reduce the costly and anxious watch at the dikes.

There is still plenty of work cut out for us. Serious threats are being mounted against us in parts of Asia, Africa and in this hemisphere. In many of the new nations, communism as a political and economic doctrine continues to exert a powerful appeal. It does so particularly in the newly developing areas of the world because here too many somehow have been deluded to believe that the state under communism will in some mysterious way provide for the needs of all, that it will fulfill the Marxian promises "from each according to his ability, to each according to his needs."

Unfortunately there are more needy people on this earth than the "able" can care for and there are more consumers than the producers can satisfy.

We know that the image that communism here presents is a mirage. But along the hazy margins of power in the world where new nations

have emerged or are emerging, we have to cope with fiction as well as fact. As a practical matter, in many of these areas the name and achievements of Henry Ford are far better known than Marx and all his theories.

In conclusion, I wish to say that, as you can see, I have come away from ten years of intensive study of communism and all its works, a confirmed optimist. I believe that the Communist position is becoming more and more vulnerable.

I am not speaking now so much in a military sense, though certainly, over-all the free world has a military superiority.

I am speaking rather of the manifold vulnerabilities and weaknesses that the system is showing, of the fact that some of the steam has gone out of the early evangelical, fanatical drive of communism.

And it is a tarnished thing. It can never really live down Stalin's record of terror.

My confidence in the future is also based on the increasing evidence from inside Russia that the revolution is failing to convert its grandsons - the rising educated generation, twice removed from Lenin and the Bolsheviks.

We know more about the true feelings of the people of Russia individually nowadays. Given a free and safe opportunity to do so, they will almost unfailingly demonstrate a basic friendliness toward us and toward the West generally. The regime has told them little that is truthful about life in America and in the West. But the educated Russian has learned enough in other ways to have the yearning to gain for himself some of the advantages - and not alone the material advantages - which they associate with the Western way of life.

And, believe me, they do not want to take the Eastern Way. Their troubles with Communist China are not exclusively political. Individually and collectively, they haven't liked the Chinese Communists.

Granted that the Russian people themselves today have no direct say in the decisions of their Government. Nevertheless, it is my impression that there is slowly building up inside Russia a latent pressure for more freedom, for a fairer sharing of the produce of their labor than the system now allows. Life in the Communist world is drab compared to our own.

No one, I believe, is more sensitive to the readings of the public pulse than is Khrushchev himself. More than once he seems to have taken account of the people's temper, something Stalin rarely did. As an earthy example of this, when Khrushchev let Benny Goodman into Russia, it was not because he likes jazz music. He doesn't - but many of his people do.

And finally let us recall that Khrushchev claims that he wants a peaceful competition between communism and all its works and our Western civilization. But he dare not, in my judgment, risk any real confrontation between the two systems.

In any event let us steadily seek it. Let us hold him to his challenge. Let us do all we can to bring about an honest weighing of the value of the two systems. Let their economy be compared with ours, their culture with ours, their basic philosophy of life with ours, in every significant field of human endeavor.

I have no doubt as to the outcome.

End